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In re Application of Lohray *et. al.*  
Serial No.: 09/928,242  
Filed: August 10, 2001  
Attorney Docket No.: CHL-102(US)

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: PETITION DECISION  
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This is in response to the petition under 37 CFR 1.181, filed March 23, 2005, for withdrawal of abandonment of the above identified application based on evidence that the Notice Of Abandonment was not proper.

A review of the file history shows that an Office Communication, a Notice of Allowance and Issue Fee(s) Due, was mailed to Applicants on October, 20 2003, that provided a non-extendable 3 month period for response. Upon failure to record any payment related to the October 20, 2003 Communication, the Office of Publications mailed Applicants a Notice of Abandonment, on February 18, 2005.

According to Applicants, the fees dues were timely paid. In furtherance of their assertion, Applicants enclosed with their petition a copy the return receipt postcard dated January 16, 2004, a copy of Pillsbury Winthrop check number 003663 in the amount of \$1,655, a copy of PTO/SB/21 Transmittal Form and Certificate of mailing, a copy of PTO/SB/17 Fee Transmittal for FY 2004, copy of PTOL-85, Part B Fee(s) Transmittal, and certificate of mailing for payment of the issue fee and publication fee. In view of the evidence that was included with the petition, the Notice of Abandonment is withdrawn and the application is restored to pending status with the mailing of this decision.

The petition is therefore **GRANTED**.

The application will be forwarded to the Publication Branch for further action once the appropriate fees are deducted from Account Number 03-3975.

Should there be any questions about this decision please contact Jean Vollano, by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0648, or by facsimile sent to the general Office facsimile number, 703-872-9306.

  
Bruce Kisliuk

Director, Technology Center 1600